

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:22-cv-62336-JIC

JONATHAN HERNANDEZ,

Plaintiff,

v.

FLOKEL ENTERPRISES, INC., AND
RONAN GIDEKEL,

Defendants.

**DEFENDANTS' RESPONSE TO PLAINTIFF'S
STATEMENT OF CLAIM**

Defendants, FLOKEL ENTERPRISES, INC. ("Flokkel") and RONAN GIDEKEL ("Gidekel"), through counsel, file their Response to Plaintiff's Statement of Claim [D.E. 39], as follows:

1. Defendants deny that Plaintiff worked 15 hours of overtime per week. Defendants assert that Plaintiff grossly exaggerated the amount of his claim and made little to no effort to accurately calculate his damages, which he could have easily done based on his paystubs.

2. In the past three years Plaintiff worked a total of 112.21 hours of overtime. Based on Plaintiff's representation that he was paid his regular rate for all hours worked (i.e., \$21.00 per hour), Plaintiff is owed at best, if anything, \$1,234.31 (\$11.00 allegedly owed per hour of overtime x 112.21 hours of overtime worked).

3. Defendants dispute that liquidated damages are warranted, as any alleged violation of the FLSA by the Defendants was not committed willfully or recklessly, but rather any action by Defendants was taken in good faith and based on a reasonable belief that it was not a violation of the FLSA. Nevertheless, if the Court awards Plaintiff liquidated damages, Plaintiff's best case scenario would be the total of \$1,234.21.

4. Copies of paystubs and time cards are being provided to Plaintiff's counsel concurrently with this Response.

Respectfully Submitted,

/s/ Juliana Gonzalez, Esq.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court using CM/ECF; and that the foregoing document is served on this 25th day of January, 2023, to all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of the notices of Electronic Filing generated by the CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

Respectfully Submitted,

/s/ Juliana Gonzalez, Esq. _____

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